

REMARKS

1. In the above-captioned Office Action, the Examiner rejected claims 1, 4, 6, and 7 under 35 U.S.C. §102(b) in view of Inciong (U.S. Patent No. 6,543,787). Claims 1-18 were rejected under 35 U.S.C. §103(a) given Belter (U.S. Patent No. 5,168,047) in view of Inciong. These rejections are traversed and reconsideration is hereby respectfully requested.

2. Claims 1, 4, 6, and 7 were rejected under 35 U.S.C. §102(b) in view of Inciong. Claims 1-18 were rejected under 35 U.S.C. §103(a) given Belter in view of Inciong.

The Examiner relies on Inciong to teach "an inner diameter that is smaller than an outer diameter of a first fastener" of independent claims 1, 8, and 13. The Examiner cites the waffle pattern regions 32 as an elastomeric ring around apertures 22 and states that an elastomeric ring is disposed along a metal substrate in order to provide sealing around a fastener. The claims do not set forth sealing the fastener, and the invention would operate whether or not the elastomeric ring formed a seal as the Examiner suggests. Inciong makes no statement, nor shows in the drawings, that the inner diameter of the waffle pattern region 32 surrounding the aperture 22 is either larger or smaller than a fastener. Further, aperture 22 is designed for a dipstick, not a fastener, as set forth in column 3, lines 3-6. Rather, Inciong teaches that his apertures 20, which are not surrounded by an elastomeric ring or waffle pattern regions 32, are adapted to accommodate bolts in column 3, lines 1-3. Thus, Inciong fails to teach *an inner diameter that is smaller than an outer diameter of a first fastener* as set forth in independent claims 1, 8, and 13. Neither Inciong nor Belter teaches numerous other elements (e.g., the teeth) of independent claim 13, which will not be set forth for the sake of brevity.

With respect to dependent claims 6, 10, and 16, neither Inciong nor Belter teaches or suggests that when the fastener is inserted through the fastener hole and the elastomeric ring, the gasket and fastener are sufficiently attached to the flange to permit installation of the fastener without the gasket and fastener falling off the flange. Neither of these references teaches or suggests this element. With respect to claims 19 and 20, neither Inciong nor Belter teaches or suggests an interference fit.

Thus, Inciong fails to teach at least one element in each of the independent claims, as well as other elements in the dependent claims, and Inciong fails to teach the subject matter of claims 1-20. Belter also fails to make such teachings.

Thus, the claims of the present invention are not taught or suggested by Inclong and/or Belter. Combining these references fails to teach or yield the invention as claimed. The combination of these references fails to teach or suggest all the elements of the claims. Further, one of skill in the art would not be motivated to make such a combination. Therefore, the present invention is not obvious in light of any combination of Inclong and/or Belter.

Furthermore, claims 2-7, 9-12, and 14-20 are dependent upon an independent claim that is shown to be allowable. For all these reasons, the dependent claims are themselves allowable.

Hence, the applicant respectfully submits that claims 1-20 may be passed to allowance.

3. The Applicants amend claims 1 and 8 above to advance the prosecution. The amendment of claims 1 and 8 are not an admission that Inclong teaches claim 1 nor that Inclong in view of Belter renders claims 1-18 obvious. The cancellation and amendments instead reflects the Applicants' desire to expeditiously proceed and prosecute the resulting claims in this application.

4. No new subject matter is introduced by the amendments to the above claims or the addition of the new claims.

5. The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication may advance the prosecution of the present application. Notice of allowance of claims 1-20 is hereby respectfully requested.

Respectfully submitted,

Date: July 11, 2005

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